

J1025 U.S. PTO  
06/29/01

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## UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

<b>APPLICATION ELEMENTS</b>  See MPEP chapter 600 concerning utility patent application contents.	<b>ADDRESS TO:</b> Attorney Docket No. 45163-1008 First Inventor Bi-yu Li et al. Title METHOD FOR IDENTIFICATION, SEPARATION AND QUANTITATIVE MEASURE OF NUCLEIC ACID FRAGMENTS Express Mail Label No. EL 904 934 895 US
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i>	
2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.	
3. <input checked="" type="checkbox"/> Specification [Total Pages 78] (preferred arrangement set forth below) <ul style="list-style-type: none"> <li>- Descriptive title of the invention</li> <li>- Cross Reference to Related Applications</li> <li>- Statement Regarding Fed sponsored R &amp; D</li> <li>- Reference to sequence listing, a table, or a computer program listing appendix</li> <li>- Background of the Invention</li> <li>- Brief Summary of the Invention</li> <li>- Brief Description of the Drawings (if filed)</li> <li>- Detailed Description</li> <li>- Claim(s)</li> <li>- Abstract of the Disclosure</li> </ul>	
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) [ Total Sheets 4 ]	
5. Oath or Declaration [ Total Pages <input type="checkbox"/> ] <ul style="list-style-type: none"> <li>a. <input type="checkbox"/> Newly executed (original or copy)</li> <li>b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d))  <i>(for continuation/divisional with Box 17 completed)</i> <ul style="list-style-type: none"> <li>i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b>            Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</li> </ul> </li> </ul>	
6. <input type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	
17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)    of prior application No. _____	
Prior application information: Examiner _____ Group / Art Unit: _____	
For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation <u>can only</u> be relied upon when a portion has been inadvertently omitted from the submitted application parts.	

18. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label		(Insert Customer No. or Attach bar code label here)		<input checked="" type="checkbox"/> Correspondence address below	
Name	Mitchell P. Brook				
	Baker & McKenzie				
Address	101 Broadway, Twelfth Floor				
City	San Diego	State	California	Zip Code	92101
Country	USA	Telephone	619 236-1441	Fax	619 236-0429

Name (Print/Type)	Mitchell P. Brook	Registration No. (Attorney/Agent)	32,967
Signature			
Date	6/29/01		

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U S Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

JC997 U.S.P.T.O. 09/896324 10/62/00

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# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 924.00)

Complete if Known	
Application Number	To be assigned
Filing Date	Filed herewith
First Named Inventor	Bi-yu LI et al.
Examiner Name	To be assigned
Group Art Unit	To be assigned
Attorney Docket No.	45163-1008

## METHOD OF PAYMENT

1.  The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:  
 Deposit Account Number **02-0410**  
 Deposit Account Name **Baker & McKenzie**  
 Charge Any Additional Fee Required  
 Under 37 CFR 1.16 and 1.17  
 Applicant claims small entity status.  
 See 37 CFR 1.27
2.  Payment Enclosed:  
 Check  Credit card  Money Order  Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
101 710	201 355	Utility filing fee	<b>710.00</b>		
106 320	206 160	Design filing fee			
107 490	207 245	Plant filing fee			
108 710	208 355	Reissue filing fee			
114 150	214 75	Provisional filing fee			

SUBTOTAL (1) (\$ 710.00)

## 2. EXTRA CLAIM FEES

	Extra Claims	Fee from below	Fee Paid
Total Claims	<b>23</b>	-20** = <b>3</b> x <b>18</b> = <b>54.00</b>	
Independent Claims	<b>5</b>	-3** = <b>2</b> x <b>80</b> = <b>160.00</b>	
Multiple Dependent			

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
103 18	203 9	Claims in excess of 20			
102 80	202 40	Independent claims in excess of 3			
104 270	204 135	Multiple dependent claim, if not paid			
109 80	209 40	** Reissue independent claims over original patent			
110 18	210 9	** Reissue claims in excess of 20 and over original patent			

SUBTOTAL (2) (\$ 214.00)

\* or number previously paid, if greater; For Reissues, see above

## 3. ADDITIONAL FEES

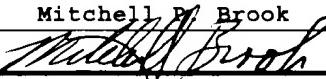
Large Entity	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath			
127 50	227 25	Surcharge - late provisional filing fee or cover sheet			
139 130	139 130	Non-English specification			
147 2,520	147 2,520	For filing a request for ex parte reexamination			
112 920*	112 920*	Requesting publication of SIR prior to Examiner action			
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action			
115 110	215 55	Extension for reply within first month			
116 390	216 195	Extension for reply within second month			
117 890	217 445	Extension for reply within third month			
118 1,390	218 695	Extension for reply within fourth month			
128 1,890	228 945	Extension for reply within fifth month			
119 310	219 155	Notice of Appeal			
120 310	220 155	Filing a brief in support of an appeal			
121 270	221 135	Request for oral hearing			
138 1,510	138 1,510	Petition to institute a public use proceeding			
140 110	240 55	Petition to revive - unavoidable			
141 1,240	241 620	Petition to revive - unintentional			
142 1,240	242 620	Utility issue fee (or reissue)			
143 440	243 220	Design issue fee			
144 600	244 300	Plant issue fee			
122 130	122 130	Petitions to the Commissioner			
123 50	123 50	Petitions related to provisional applications			
126 240	126 240	Submission of Information Disclosure Stmt			
581 40	581 40	Recording each patent assignment per property (times number of properties)			
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))			
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))			
179 710	279 355	Request for Continued Examination (RCE)			
169 900	169 900	Request for expedited examination of a design application			

Other fee (specify) \_\_\_\_\_

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

Name (Print/Type)	Mitchell P. Brook	Registration No. (Attorney/Agent)	32,967	Telephone	619 236-1441
Signature				Date	6/29/01

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: ) Art Unit: To be assigned  
Bi-yu LI et al. )  
Serial No.: To be assigned ) Examiner: To be assigned  
Filed: Filed herewith )  
For: METHOD FOR IDENTIFICATION, )  
SEPARATION AND QUANTITATIVE )  
MEASURE OF NUCLEIC ACID )  
FRAGMENTS )

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San Diego, California 92101  
June 29, 2001

BOX PATENT APPLICATION  
Commissioner For Patents  
Washington, D.C. 20231

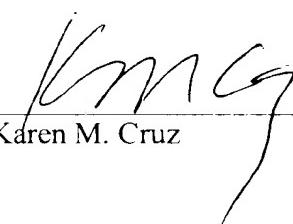
**CERTIFICATE OF EXPRESS MAILING**

Dear Sir:

"Express Mail" mailing label No. EL 904 934 895 US

Date of Deposit: June 29, 2001

I hereby certify that a Utility Patent Application Transmittal, Fee Transmittal, check in the amount of \$924.00, Patent Application including the Specification, Abstract, and Claims (78 pages), Drawings (FIGS. 1-4 on 4 pages); Request for Non-Publication and return postcard are being deposited with the U.S. Postal Service "Express Mail Post Office to the Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

  
Karen M. Cruz

**REQUEST AND CERTIFICATION  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	Bi-yu LI et al.
Title	METHOD FOR IDENTIFICATION, SEPARATION AND QUANTITATIVE MEASURE OF NUCLEIC ACID FRAGMENTS
Atty Docket Number	45163-1008

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

6/29/01

Date

Signature

Mitchell P. Brook

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**